

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL NO. 07-00236-KD-N
)	
CLINTON KIDD)	
)	
Defendant.)	

ORDER

This action is before the Court on defendant's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence (Doc. 158). The Court has been advised that the defendant, Clinton Kidd, was released from federal custody on May 12, 2009. Both counsel for the defendant and the Government have now confirmed that, in view of defendant's release, this motion is moot. (Docs. 176 and 177). Consequently, defendant's motion under § 2255 is **DENIED** as **MOOT**. *See e.g., Soliman v. U.S. ex rel. INS*, 296 F.3d 1237, 1242-1243 (11th Cir. 2002)("[A] 'a case is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief.'").

Done this 15th day of October, 2009.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE